

IN THE DRAWINGS

The attached sheet of drawings includes changes to Fig. 1. This sheet, which includes Fig. 1, replaces the original sheet including Fig. 1.

Attachment: Replacement Sheet

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-9 are pending in the present application, Claims 1 and 7-9 having been amended. Support for the amendments to Claims 1 and 7-9 is found, for example, in Fig. 3 and in the specification at page 16, lines 14-23. Thus, no new matter is added.

In the outstanding Office Action, Claims 1-4 were rejected under 35 U.S.C. §102(b) as anticipated by Kunikane et al. (U.S. Patent No. 5,479,547, hereinafter Kunikane); Claim 5 was rejected under 35 U.S.C. §103(a) as unpatentable over Kunikane in view of Rivoallan (U.S. Patent No. 6,130,974); Claim 6 was rejected under 35 U.S.C. §103(a) as unpatentable over Kunikane in view of Ellison et al. (U.S. Patent No. 6,556,757, hereinafter Ellison); Claims 7 and 8 was rejected under 35 U.S.C. §103(a) as unpatentable over Kunikane in view of Feldman et al. (U.S. Patent No. 6,577,414, hereinafter Feldman); and Claim 9 was rejected under 35 U.S.C. §103(a) as unpatentable over Kunikane in view of Schmack et al. (U.S. Patent No. 4,481,621, hereinafter Schmack).

Applicant thanks the Examiners for the courtesy of an interview extended to Applicant's representatives on April 14, 2006. During the interview, differences between the present invention and the applied art, and the rejections noted in the outstanding Office Action were discussed. The Examiners indicated that the proposed amendment appeared to distinguish over the applied prior art, subject to further consideration upon formal submission of a response. Arguments and amendments presented during the interview are reiterated below.

As discussed in the above-noted interview, Fig. 1 is amended to add the label "Background Art."

With respect to the rejection of Claim 1 under 35 U.S.C. §102(b) as anticipated by Kunikane, Applicants respectfully submit that the amendment to Claim 1 overcomes this ground of rejection. Amended Claim 1 recites, *inter alia*, “a wavelength division multiplexer/demultiplexer configured to eliminate a particular wavelength signal such that the wavelength division multiplexer/demultiplexer outputs wavelength signals other than the eliminated particular wavelength and prevents further downstream transmission of the eliminated particular wavelength.” Kunikane does not describe or suggest this element of amended Claim 1.

In a non-limiting embodiment of the claimed invention, a data transmission system includes subscriber units configured to interconnect with a central office unit via optical fibers. The central office unit is configured to multiplex a video signal with signals other than the video signal and to deliver them to the subscriber units. However, some subscribers will not want to receive a particular wavelength of the signal transmitted from the central office, i.e. the video signal. Thus, the subscriber unit includes a wavelength division multiplexer/demultiplexer configured to eliminate the video signal such that the wavelength division multiplexer/demultiplexer outputs signals other than the eliminated video signal and prevents further downstream transmission of the eliminated particular wavelength. Thus, the claimed invention is not transmitting a video signal further downstream to a subscriber who does not wish to be distributed a video signal.

The outstanding Office Action appears to take the position that Fig. 15 of Kunikane shows the WDM unit within subscriber unit 5 “eliminating” wavelength λ_2 because λ_2 is routed to a video device outside of the WDM unit and subscriber unit 5. However, the present amendment to Claim 1 clarifies what is meant by “eliminating.” The claimed wavelength division multiplexer/demultiplexer eliminates a particular wavelength signal to prevent further downstream transmission of the eliminated particular wavelength.

Fig. 15 of Kunikane clearly shows that the WDM unit receives a multiplexed signal, demultiplexes the signal into wavelengths λ_1 and λ_2 , and both wavelengths downstream. Since the wavelength of λ_2 is transmitted downstream by the WDM in Kunikane, the wavelength of λ_2 is not “eliminated.” Thus, Kunikane does not describe or suggest the claimed wavelength division multiplexer/demultiplexer configured to eliminate a particular wavelength signal such that the wavelength division multiplexer/demultiplexer outputs signals other than the eliminated particular wavelength and prevents further downstream transmission of the eliminated particular wavelength.

In addition, the other cited references do not cure the above-noted deficiencies in Kunikane. Rivoallan, Ellison, Feldman, and Schmack do not describe a data transmission system including “a wavelength division multiplexer/demultiplexer configured to eliminate a particular wavelength signal such that the wavelength division multiplexer/demultiplexer outputs wavelength signals other than the eliminated particular wavelength and prevents further downstream transmission of the eliminated particular wavelength.”

Furthermore, the claimed data transmission system relieves a subscriber who does not want to receive the video service of the requirement of the expensive spatial optical filter for separating a video signal from other signals.¹ Thus, subscribers who do not want to receive the video signal can be provided with an inexpensive subscriber unit.²

In view of the above-noted distinctions, Applicants respectfully submit that Claim 1 (and Claims 2-6) patentably distinguish over Kunikane, Rivoallan, Ellison, Feldman, and Schmack, alone or in combination. Claims 7-9 recites elements similar to the elements of Claim 1. Thus, Applicants respectfully submit that Claims 7-9 patentably distinguish over Kunikane, Rivoallan, Ellison, Feldman, and Schmack, alone or in combination, for at least the reasons provided for Claim 1.

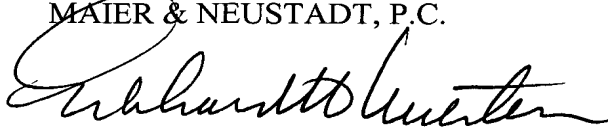
¹ Specification, page 6, lines 20-26.

² Specification, page 21, lines 3-4.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

I:\ATTY\JW\218877US\218877US_AM DUE 4-18-06-v2.DOC